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13 COSTCO WHOLESALE CORPORATION

14 **UNITED STATE DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 ESTATE OF KAREN LEE SHUTT; KAREN)
17 LEE SHUTT, decedent; GERALD SHUTT,) Case No. 2:20-cv-00567-KJD-EJY
18 surviving spouse; KEVIN SHUTT, heir;)
19 STEVEN SHUTT, heir; MICHELLE VANCE,)
20 heir; MONICA MARSHALL, heir.)
21 Plaintiffs,)
22 vs.)
23 COSTCO WHOLESALE CORPORATION, a)
24 Domestic Corporation; ROE CORPORATIONS I)
25 through X, inclusive; DOES 1 through 10;)
26 inclusive,)
27 Defendants.)
28

29 **~~STIPULATION AND ORDER FOR DISMISSAL WITH PREJUDICE~~**

30 IT IS HEREBY STIPULATED by and between Plaintiffs, ESTATE OF KAREN LEE
31 SHUTT, KAREN LEE SHUTT (decedent), GERALD SHUTT (surviving spouse), KEVIN
32 SHUTT (heir), STEVEN SHUTT (heir), MICHELLE VANCE (heir) and MONICA MARSHALL
33 (heir) (hereinafter collectively referred to as "Plaintiffs"), by and through their counsel of record,

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1 Daniel Dastrup, Esq. of the Boyack Law Group and Defendant, COSTCO WHOLESALE
2 CORPORATION (hereinafter referred to as "Costco" or "Defendant"), by and through its counsel
3 of record, Edgar Carranza, Esq. of the law firm of BACKUS, CARRANZA & BURDEN, as follows:

4 1. Plaintiffs filed their Complaint on January 28, 2020, in the Eighth Judicial District
5 Court, Clark County, Nevada.

6 2. Costco filed the Answer on March 20, 2020, and a corresponding Notice of
7 Removal on March 23, 2020.

8 3. On July 27, 2020, the Parties convened and participated in a FRCP 26(f)
9 Conference, after which they embarked on discovery.

10 4. After some discovery, the Parties have been able to reach a mutually acceptable
11 resolution to this matter which is memorialized in the Settlement and Release Agreement executed
12 contemporaneous hereto.

13 5. This Stipulation is not, is in no way intended to be, and should not be construed as,
14 an admission of liability or fault on the part of Defendant, or its agents, servants, or employees,
15 and it is specifically denied that they are liable to Plaintiffs. Rather, the resolution is reached for
16 the purpose of compromising the disputed claims and avoiding the expenses and risks of further
17 litigation for all Parties.

18 6. In reaching the resolution Defendant does not admit any liability and continues to
19 deny the allegations in the Complaint. Nonetheless, Plaintiffs hereby stipulates to waive any and
20 all claims against Defendant and dismiss this action with prejudice in exchange for the agreed to
21 resolution.

22 7. The Parties also hereby stipulate, and this Court hereby orders, that the above-
23 captioned action is hereby DISMISSED WITH PREJUDICE as to all Plaintiffs' claims against
24 Defendant.

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8. The Parties agree that they will each bear their own costs, fees, and expenses related to this matter.

DATED this 4th day of January, 2022.

DATED this 4th day of January, 2022.

BACKUS, CARRANZA & BURDEN

Boyack Law Group

By: /s/ Edgar Carranza
Edgar Carranza, Esq.
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3050 South Durango Drive
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Attorney for Defendant
COSTCO WHOLESALE
CORPORATION

By: /s/ Daniel Dastrup
Daniel M. Dastrup, Esq.
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ESTATE OF KAREN LEE SHUTT,
KAREN LEE SHUTT, GERALD
SHUTT, KEVIN SHUTT, STEVEN
SHUTT, MICHELLE VANCE and
MONICA MARSHALL

ORDER

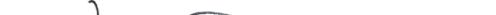
The Parties have stipulated and agree to the dismissal of this case as set forth in the foregoing stipulation and good cause appearing,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that this case is DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each party shall bear their own costs and fees. The clerk of the Court shall close the file.

IT IS SO ORDERED.

DATED this 5th day of January, 2022.


Bernd H. Schlesinger